

SENATE RECORD VOTE ANALYSIS

105th Congress
2nd Session

Vote No. 311

October 9, 1998, 11:26 a.m.
Page S-12100 Temp. Record

PATIENT PROTECTION ACT/Motion to Proceed

SUBJECT: Patient Protection Act of 1998 . . . H.R. 4250. Lott motion to table the Daschle motion to proceed.

ACTION: MOTION TO TABLE AGREED TO, 50-47

SYNOPSIS: H.R. 4250, the Patient Protection Act of 1998, will enact Health Maintenance Organization (HMO) reforms and other health care reforms. It passed the House by a vote of 216-210, with 213 Republicans voting in favor and 12 against, and 12 Democrats voting in favor and 197 against. The one socialist in the House voted against the bill as well.

Senator Daschle moved to proceed to the bill. Before any intervening debate, Senator Lott moved to table that motion. However, some debate occurred after the motion to table.

Those favoring the motion to table contended:

Our Democratic colleagues obviously are not intent on passing the House Republicans' health care bill. Their actions, both today and for the past several months, prove also that they are not intent on passing their own law-suit happy assault on the health care system either. We are quite possibly on the last day of session for this Congress, and our colleagues now tell us that they want to bring up the House bill so that they can attach their proposal to it as a substitute. How could that be? For months on end Democratic Senators have piously insisted that it was not humanly possible to consider their health care proposal under any type of agreement that might limit time and amendments--no, dozens of amendments and weeks of debate would be required. Now we are expected to believe that this stunt of moving to the House bill is a serious attempt to consider health care this session? Obviously it is not. This motion is just a public relations gimmick, which may impress a few of the dimmer bulbs in the press but which clearly is not expected to result in the passage of any legislation. Nothing is going to be worked out at this late hour.

This year Democratic Senators have not shown the slightest interest in passing a reform bill. They have rallied around a radical Kennedy bill that is fine for posturing but which they know full well will never be accepted by Republicans. That bill would create

(See other side)

YEAS (50)		NAYS (47)			NOT VOTING (3)	
Republicans (50 or 93%)	Democrats (0 or 0%)	Republicans (4 or 7%)	Democrats (43 or 100%)		Republicans (1)	Democrats (2)
Abraham	Hutchinson	Bond	Akaka	Kennedy	McConnell ⁻²	Glenn ⁻²
Allard	Hutchison	D'Amato	Baucus	Kerrey		Hollings ⁻²
Ashcroft	Inhofe	Faircloth	Biden	Kerry		
Bennett	Jeffords	Specter	Bingaman	Kohl		
Brownback	Kempthorne		Boxer	Landrieu		
Burns	Kyl		Breaux	Lautenberg		
Campbell	Lott		Bryan	Leahy		
Chafee	Lugar		Bumpers	Levin		
Coats	Mack		Byrd	Lieberman		
Cochran	McCain		Cleland	Mikulski		
Collins	Murkowski		Conrad	Moseley-Braun		
Coverdell	Nickles		Daschle	Moynihan		
Craig	Roberts		Dodd	Murray		
DeWine	Roth		Dorgan	Reed		
Domenici	Santorum		Durbin	Reid		
Enzi	Sessions		Feingold	Robb		
Frist	Shelby		Feinstein	Rockefeller		
Gorton	Smith, Bob		Ford	Sarbanes		
Gramm	Smith, Gordon		Graham	Torricelli		
Grams	Snowe		Harkin	Wellstone		
Grassley	Stevens		Inouye	Wyden		
Gregg	Thomas		Johnson			
Hagel	Thompson					
Hatch	Thurmond					
Helms	Warner					

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

a huge new regulatory and bureaucratic scheme for taking over health care. According to a June 1998 analysis by Multinational Business Services (which is comprised of former Office of Management and Budget officials), Kennedy-Care would place 196 new mandates on private health insurance companies, institute at least 56 new instances for Federal lawsuits (including against employers, which would encourage employers just to drop coverage altogether), put in place at least 59 new Federal regulations, require 3,828 new Federal workers to administer the new bureaucracies, and cost the Federal Government \$776.5 million over the next 5 years. According to the Congressional Budget Office, Kennedy-Care would increase health insurance premiums by at least 4 percent (independent accounting firms have given much higher estimates), and according to the General Accounting Office (GAO), every 1-percent increase in premiums causes 300,000 Americans to lose their health insurance. In other words, at a minimum the Kennedy bill would take away health care from 1.2 million Americans. We have barely scratched the surface of the horrendous problems with that bill. Suffice it to say that we do not want, nor do the American people want, the Federal Government to tell Americans what health services they must have and must pay for, nor do we want to tie up our health care system with bureaucrats second-guessing and lawyers getting rich off every medical decision. Democrats of course know that there is not the slightest chance that their radical plan will ever be enacted. However, they have not tried to modify it, nor have they shown any interest in working with Republicans on developing an acceptable solution.

Republicans, on the other hand, have been very serious about crafting a solution to the problems that Kennedy-Care pretends to address. They have developed a bill, which has been ready for floor consideration for months, that would increase patients' access to medical care and that would ensure the quality and confidentiality of that care, and would do so without imposing massive new mandates, bureaucracies, and costs. That bill has a support of a majority of Senators, and Democrats know it. The bill passed. If it became law, problems with health insurance would be eliminated and they would lose a political issue. From June until now they have therefore insisted that if the Republican bill is taken up, it will be with the opportunity for countless amendments to be considered without any reasonable time limits. Such an agreement would give them a chance to demonstrate that health care reform is possible.

Republicans want that health care reform is possible. They want to show the points on which Members can agree. They want to show that health care can and should be a major legislative issue next year. Whether it is or not is up to Democrats. They can work with us, or they can again make it a political issue. The choice is theirs.

Those opposing the motion to table contended:

This vote will be the last chance that Congress will have this session to reign in the greedy actions of HMOs that put profits ahead of life and health. Everyone is very aware of the need to clamp down on HMO abuses. The instances of gross mistreatment of patients are becoming legion. Republicans have a weak bill that would fail to provide anywhere near the number of specific protections as would be provided under the Kennedy bill, and it would not provide anywhere near universal protection. In our view, we think the Republican bill was drafted more to protect insurance companies than it was to protect the patients who are so often the victims of those companies. We do not know of any issue that is more important to millions of Americans than their health care, yet Republicans for months have been insisting that we cannot discuss it unless we do it under very limited terms. First they suggested that we have just one vote on the Republican bill and one vote on the Democratic bill; then they suggested that each side also would be allowed to offer three amendments for a total of six amendments. Democrats counter-proposed that each side should be allowed to offer 20 amendments. The Democrats' offer was very reasonable. It is common on major bills to consider 100 or more amendments; to limit amendments to just 40 on such a critical issue is really more than many Democrats thought was acceptable. Republicans refused the offer, though, knowing full well that Democrats could highlight many of the Republican bill's manifest flaws if they had the opportunity to offer 20 amendments. Further, they knew that Democrats would probably win many of the votes on those amendments, and the Republican bill would then unravel. Our Republican colleagues do not really want to debate this issue because it is a debate that they will lose. They are on the wrong side of the issue. We may not prevail on this vote, but next year we will be back, and eventually reforms will be enacted.

gogue the bill and try to prevent its passage. If it were passed, it must be vetoed, and Democrats would sustain that veto. The only way the bill could be enacted is if it is done on a bipartisan basis on the merits. Democrats, this year, wanted only to play politics with the issue. If they ever decide to get serious, we will be delighted to work out solutions on matters that both parties can agree on.